

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

CHRISTOPHER JOHNSON,

Plaintiff,

v.

20-CV-604 (JLS)

PAUL CHAPPIUS, JR., GREGORY
KELLER, TIMOTHY CARROLL,
MICHAEL RANDALL, EDWARD
WOLF, STEVEN PACIOREK, and
KYLE RAMIREZ,

Defendants.

DECISION AND ORDER

Plaintiff Christopher Johnson commenced this 42 U.S.C. section 1983 action on May 20, 2020. Dkt. 1. Johnson alleges violations of his constitutional rights under the First, Eighth, and Fourteenth Amendments. *Id.* Presently before the Court is Magistrate Judge Schroeder's November 6, 2023 Report and Recommendation ("R&R")¹ recommending that Defendants' motion for summary judgment, Dkt. 33, be granted in its entirety. *See* Dkt. 49. Johnson objected to the R&R. *See* Dkt. 55. Defendants responded, Dkt. 59, and Johnson replied, Dkt. 61.

A district court may accept, reject, or modify the findings or recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). A district court must conduct a de novo review of those portions of a magistrate judge's

¹ On November 12, 2020, this Court referred the case to United States Magistrate Judge H. Kenneth Schroeder for all proceedings under 28 U.S.C. section 636(b)(1)(A), (B), and (C). *See* Dkt. 8.



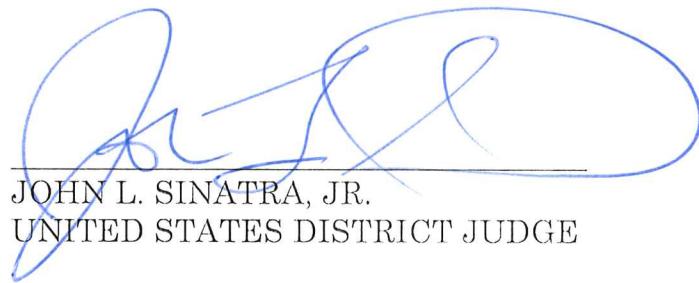
recommendation to which a party objects. *See* 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3). But neither 28 U.S.C. section 636 nor Federal Rule of Civil Procedure 72 requires a district court to review the recommendation of a magistrate judge to which no objections are raised. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

This Court carefully reviewed the thorough R&R, the objections briefing, and the relevant record. Based on its *de novo* review, this Court accepts and adopts Judge Schroeder's recommendation to grant Defendants' motion for summary judgment in its entirety.

For the reasons stated above and in Judge Schroeder's R&R, the Court GRANTS Defendants' motion for summary judgment (Dkt. 33). The Clerk of the Court shall close this case.

SO ORDERED.

DATED: April 5, 2024
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE